IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

Writ Petition no. 356 (SS) of 2007

Shakuntala Arya,
W/o Sri Shayam Lal Arya,
R/o Village and Post – Bhatkot,
District – Almora. **……Petitioner.**

Versus

1. Director, Medical Health & Family Welfare, Uttarakhand Government, Dehradun.
2. Additional Director, Medical Health & Family Welfare, Garhwal Region, District – Pauri Garhwal.
3. Chief Medical Officer, District – Pauri Garhwal.
4. Medical Officer, Incharge Additional Primary Health Centre, Dewal, District – Chamoli.

…….Respondents

Hon'ble M.M. Ghildiyal, J

Heard Sri Sharad Sharma, learned counsel for the petitioner and Sri H.M. Raturi, learned standing counsel for State of Uttarakhand on behalf of respondents.

By means of this writ petition, the petitioner has challenged the order dated 31.07.2007 passed by Superintendent, Community Health Centre, Karan Prayag, Chamoli relieving the petitioner from Additional Primary Health Centre, Gauchar to Primary Health Centre Dewal so that she may join at her original place of posting.

In para 55 of the writ petition, petitioner has alleged that when she was working at Dewal her salary was drawn from Primary Health Centre, Tharali.

Petitioner apprehends that again in pursuance to the impugned order dated 31.03.2007, even if she joins her original place of posting i.e. Primary Health Centre, Dewal, she will be asked to collect her salary from Tharali again.

The impugned order was passed by the Superintendent, Community Health Centre in pursuance to the order dated 15/16 March, 2007 passed by Director General, Medical Health and Family Welfare wherein the Director General, Medical Health and Family Welfare has referred the Government Order that a policy decision has been taken by the Government to send all the employees to their original place of posting after canceling their attachment order.

I do not find any illegality in the impugned order. However, respondent are directed to ensure that the salary of the petitioner shall be paid from the place where she is posted.

With this direction, writ petition as well as stay application no. nil of 2007 is finally disposed of. No order as to costs.

(M.M. Ghildiyal, J)

April 10, 2007
SKSharma